

Law Office of Paul C. Bierman
299 Broadway
Suite 1605
New York, New York 10007
917-697-8938

January 28, 2015

Hon. Jesse M. Furman
United States District Court, Southern District of New York
Thurgood Marshall Courthouse
40 Foley Square
New York, New York 10007

Re: USA ex rel Tessler/Gonzalez v. The City of New York
Civil Action No.14-6455(JMF)
Letter-Motion For Extension of Time to File an Amended Complaint or Submit
Opposition Papers to Defendant's Motion To Dismiss

Honorable Sir:

In accordance with Rule 1E of this Court's Individual Rules and Practices For Civil Cases, Plaintiffs respectfully submit this letter-motion requesting the extension of time to file an amended complaint or submit opposition to Defendant's Motion To Dismiss. I have conferred with counsel for Defendant City of New York and they have consented to this request.

On December 14, 2015, the Court issued an order granting Plaintiffs leave to either file any amended complaint or submit their opposition to Defendant's Motion To Dismiss by December 28, 2015. Defendants were given until January 4, 2016 to reply to the Plaintiff's opposition, file its answer or file a new motion to dismiss.

The above order permitted the parties to request reasonable extensions of the above deadlines. The order further directed counsel to confer and jointly purpose modified dates.

The initial pretrial conference was adjourned by the court *sine die*.

On December 23, 2015, Plaintiffs made a letter-motion requesting for an extension of time to comply with the Court's December 14, 2015 Order. Defendant City of New York consented to Plaintiff's application.

The court, on the above date, granted Plaintiffs' request for an extension of time. Plaintiffs were granted until February 1, 2016 to time to file an amended complaint or

oppose Defendant's motion. Defendant was given until February 29, 2016 to answer the amended complaint, file a new motion to dismiss or advise the court it would rest on its motion to dismiss

I have conferred with counsel for Plaintiff Gonzlalez and Defendant City of New York today. The parties have agreed to request an extension until March 15, 2016 for Plaintiffs to file an amended complaint or submit their opposition to Defendant's Motion To Dismiss. In addition, the parties have agreed that in the event that Plaintiffs file an amended complaint or submit opposition to Defendant's Motion To Dismiss, Defendant will have until April 22, 2016 to amend its answer or reply to Plaintiff's opposition to Defendant's motion to dismiss the complaint.

Plaintiffs seek the extension of the deadline to amend the complaint or oppose Defendant's Motion To Dismiss for the purpose of conferring with our clients in order to prepare an amended complaint or opposition papers to Defendant's Motion To Dismiss.

The court previously granted Defendant's motion, on consent, to extend its time to file its answer or make a motion to dismiss for sixty days.

Plaintiffs respectfully request that the court grant this motion to extend the deadlines set forth in its December 23, 2015 Order to the dates consented to by all parties in this action.

If the Court has any questions or concerns, we are ready to discuss them at anytime which is convenient to the Court

Thank you for the Court's time and courtesy in considering this letter-motion.

s/
Paul C. Bierman
299 Broadway, Suite 1605
New York, New York 10007
(917) 697-8938
biermanpc@aol.com

Cc: Counsel of Record